

MAR 10 2005

**MORRISON & FOERSTER LLP**

Attorneys at Law  
425 Market Street  
San Francisco, California 94105-2482  
Telephone: (415) 268-7000  
Facsimile: (415) 268-7522

To: Centralized Facsimile Center  
U.S. Patent and Trademark Office

Facsimile: 703-872-9306  
Telephone:

From: Otis Littlefield

Date: March 10, 2005

We are transmitting a total of **8** pages (including this page).  
Original or hard copy to follow if this box is checked ☐.

If you do not receive all pages, please call (415) 268-6733 as soon as possible.

Preparer of this slip has confirmed that facsimile number given is correct: OBL1/7524

This facsimile contains confidential information which may also be privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

**COMMENTS:**

Re: U.S. Patent Application Serial No. 09/646,807  
For: CONTROL OF GENE EXPRESSION  
By: Michael W. GRAHAM et al.  
Our reference: 54632-20003.21

Attached are the following:

1. Transmittal (1 Page)
2. Response to Office Communication Dated February 17, 2005 (6 pages)

MAR 10 2005


PTO/88/21 (09-04)

Approved for use through 07/31/2005. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/646,807	
	Filing Date	December 5, 2000	
	First Named Inventor	Michael W. GRAHAM	
	Art Unit	1636	
	Examiner Name	D. Sullivan	
Total Number of Pages in This Submission	7	Attorney Docket Number	546322000321

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (6 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.62 or 1.63	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Cover Sheet
<div style="border: 1px solid black; padding: 5px; min-height: 80px;">         Remarks       </div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 20872) Otis Littlefield - 48,751
Signature	
Date	March 10, 2005

I hereby certify that this correspondence is being sent via Facsimile to the United States Patent and Trademark Office, facsimile no. (703) 872-9306, on the date shown below:

Dated: March 10, 2005Signature: Valerie Cohen (Valerie Cohen)

MAR. 10. 2005 4:11PM

MOFO 28TH FL

RECEIVED  
CENTRAL FAX CENTER

NO. 987 P. 3

MAR 10 2005

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-8308, on the date shown below.

Dated: March 10, 2005

Signature: Valerie Cohen

(Valerie Cohen)

Docket No.: 546322000321  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Michael W. GRAHAM et al.

Serial No.: 09/646,807

Filing Date: December 5, 2000

For: CONTROL OF GENE EXPRESSION

Examiner: D. Sullivan

Group Art Unit: 1636

**RESPONSE TO OFFICE COMMUNICATION DATED FEBRUARY 17, 2005**

MS Amendment  
Commissioner for Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Communication dated February 17, 2005, for which a response is due on March 17, 2005. As such, the filing of this resubmission of claim amendments is hereby timely filed. Please consider entering the following amendments and remarks.